

# EXHIBIT 3

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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

FRANCISCO RODRIGUEZ,	)	
INDIVIDUALLY AND ON	)	30(b)(6) Deposition of
BEHALF OF OTHERS	)	Cascade Collections
SIMILARLY SITUATED,	)	through:
	)	
Plaintiffs,	)	Tucker Morris
	)	
vs.	)	
	)	Case No.
CASCADE COLLECTIONS,	)	2:20-CV-00120-JNP
LLC,	)	
	)	
Defendant.	)	

May 19, 2020 \* 2:00 p.m.

Location: Virtual deposition via Zoom

Reporter: Diana Kent, RPR, CRR  
Notary Public in and for the State of Utah

<div>1 APPEARANCES</div> <div>2 FOR THE PLAINTIFF:</div> <div>3 Ryan McBride</div> <div>4 KAZEROUNI LAW GROUP, APC</div> <div>5 Attorney at Law</div> <div>6 2633 East Indian School Road</div> <div>7 Suite 460</div> <div>8 Phoenix, Arizona 85016</div> <div>9 Tel: (800) 400-6808</div> <div>10 Fax: (800) 520-5523</div> <div>11 ryan@kazlg.com</div> <div>12 FOR THE DEFENDANT:</div> <div>13 Chad Rasmussen</div> <div>14 ALPINA LEGAL</div> <div>15 Attorney at Law</div> <div>16 2230 North University Parkway</div> <div>17 Suite 7E</div> <div>18 Provo, Utah 84604</div> <div>19 Tel: (801) 747-9529</div> <div>20 Fax: (801) 384-0519</div> <div>21 chad@alpinalegal.com</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div> <div>Page 2</div>	<div>1 PROCEEDINGS</div> <div>2</div> <div>3 Tucker Morris,</div> <div>4 called as a witness, being first duly sworn,</div> <div>5 was examined and testified as follows:</div> <div>6</div> <div>7 (EXHIBITS 1-7 WERE PREMARKED.)</div> <div>8</div> <div>9 EXAMINATION</div> <div>10 BY MR. MCBRIDE:</div> <div>11 Q. Can you please state and spell your name</div> <div>12 for the record.</div> <div>13 A. State and spell?</div> <div>14 Q. Yes.</div> <div>15 A. Tucker Morris, T-U-C-K-E-R, M-O-R-R-I-S.</div> <div>16 Q. Mr. Morris, have you ever had your</div> <div>17 deposition taken before?</div> <div>18 A. I have not.</div> <div>19 Q. So what I'm going to do is go over some</div> <div>20 ground rules here to make everything go a little bit</div> <div>21 more smoothly. These rules are especially important</div> <div>22 now that we are doing this over Zoom as opposed to in</div> <div>23 person. You have done a good job so far, but please</div> <div>24 make sure to give a verbal response as opposed to an</div> <div>25 uh-huh or huh-uh. Do you understand? Is that okay?</div> <div>Page 4</div>
<div>1 INDEX</div> <div>2 TUCKER MORRIS</div> <div>3 PAGE</div> <div>4 Examination By Mr. McBride 4</div> <div>5 Examination By Mr. Rasmussen 55</div> <div>6 Further Examination By Mr. McBride 58</div> <div>7 Further Examination By Mr. Rasmussen 59</div> <div>8 Further Examination By Mr. McBride 60</div> <div>9 Further Examination By Mr. Rasmussen 62</div> <div>10 Further Examination By Mr. McBride 63</div> <div>11</div> <div>12 EXHIBITS</div> <div>13 NUMBER DESCRIPTION PAGE</div> <div>14 Exhibit 1 Notice of Deposition 7</div> <div>15 Exhibit 2 Collection Agreement and Assignment of 20</div> <div>16 Accounts</div> <div>17 Exhibit 3 Account Notes for Francisco Rodriguez 23</div> <div>18 Exhibit 4 April 26, 2019 letter to Francisco 26</div> <div>19 Rodriguez from Cascade Collections</div> <div>20 Exhibit 5 Cascade's Answer in Rodriguez v. 56</div> <div>21 Cascade</div> <div>22 Exhibit 6 Series of Collection Letters 38</div> <div>23 Exhibit 7 Defendant's Responses to Plaintiff 40</div> <div>24 Rodriguez's Interrogatories, Requests</div> <div>25 for Admissions, and Request for</div> <div>Production of Documents to Defendant</div> <div>Cascade Collections, LLC</div> <div>Page 3</div>	<div>1 A. Yes, that's fine.</div> <div>2 Q. Okay. And then you've also been doing a</div> <div>3 good job of waiting until I finish my question until</div> <div>4 you respond, and I will try to do the same thing and</div> <div>5 then wait for you to finish your response before I ask</div> <div>6 my next question. Does that work?</div> <div>7 A. Yes, that's great. Thank you.</div> <div>8 Q. Okay. If you need a break, let me know.</div> <div>9 This isn't a marathon. I just ask that you answer the</div> <div>10 pending question and then we will take a break after</div> <div>11 that. I usually take a break every hour or so anyway.</div> <div>12 But if you need more frequent breaks, that's fine as</div> <div>13 well. Okay?</div> <div>14 A. Okay.</div> <div>15 Q. I'm entitled to your best estimate today</div> <div>16 but I don't want you to guess. Do you know the</div> <div>17 difference between an estimate and a guess?</div> <div>18 A. Yeah.</div> <div>19 Q. If you answer a question today I'm going</div> <div>20 to assume that you understand. If you don't understand</div> <div>21 the question, please ask me to rephrase it or tell me</div> <div>22 you don't know or you don't understand. Otherwise I</div> <div>23 will assume that you understand. Is that okay?</div> <div>24 A. Yes, that's great.</div> <div>25 Q. After this deposition, you're going to</div> <div>Page 5</div>

<p>1 have an opportunity to review the transcript, which is 2 what the court reporter, Diana, is taking down today. 3 And you'll have a chance to make any changes to the 4 transcript if anything was in error. However, if you 5 make any changes to any substantive responses, I will 6 have an opportunity to comment upon that at a further 7 date. Do you understand that? 8 A. Could you define a substantive change, 9 please? 10 Q. Sure. So in the context of this case if I 11 ask you a question, and this is just an example, "Do 12 you think that your company violated the FDCPA," just a 13 broad question like that and you answer yes and later 14 on you go back and you change it and say, "No, we 15 didn't violate it, there was no violation," that would 16 be substantive to me. Something like you spelled your 17 name wrong, that would not be substantive. Does that 18 make sense? 19 A. Yes. Understood. Thanks. 20 Q. Is there any reason you can't give your 21 best testimony today? For instance, did you take any 22 drugs or drink any alcohol in the last 24 hours? 23 A. No, sir. 24 Q. Okay. We are going to jump right into 25 using this Exhibit Share function. And I'm going to</p> <p style="text-align: right;">Page 6</p>	<p>1 p.m. 2 MR. MCBRIDE: Okay. 3 MR. RASMUSSEN: So I actually don't think 4 he has seen this one. 5 MR. MCBRIDE: Okay. 6 MR. RASMUSSEN: But I'll let you continue 7 on. Sorry. 8 MR. MCBRIDE: Sure. 9 Q. (By Mr. McBride) I will give you a minute 10 here, Mr. Morris, to review this document. I'll tell 11 you, just to speed things up a little bit, I did change 12 the time and then I changed or I added a topic at the 13 end regarding net worth. 14 However, since that time the parties have 15 agreed that I will not be or we will not be seeking 16 discovery at this time for that issue, so I'm not even 17 going to be asking you about that. But we will go over 18 that in a second. But take a second to review, please, 19 and let me know if you have reviewed, or once you've 20 reviewed. 21 A. Okay. One moment. 22 MR. RASMUSSEN: Ryan, you are saying it is 23 pretty much the same with the exception of the date 24 change? 25 MR. MCBRIDE: The time change.</p> <p style="text-align: right;">Page 8</p>
<p>1 introduce Exhibit 1. 2 Do you have access to that, Mr. Morris? 3 A. I do. 4 Q. Okay. Great. 5 MR. RASMUSSEN: And Ryan, just real quick, 6 how do I do it? I've got to refresh? Is that what I'm 7 supposed to do, or have you not put it in the folder 8 yet? 9 MR. MCBRIDE: I haven't. I'm just doing 10 it right now. 11 (Discussion off the record.) 12 Q. So Mr. Morris, do you have that amended 13 deposition notice in front of you? 14 A. Yeah. I'm looking at it right now. 15 Q. Do you recognize this document? 16 A. Yes. Yes, I do. 17 Q. And I know I kind of just labeled what it 18 was, but can you tell me what it is, please? 19 A. Yes. Let's see. It's the Plaintiff's 20 Amended Notice of Taking Deposition of Defendant 21 Cascade Collections. 22 MR. RASMUSSEN: Hold on. Sorry, Ryan. I 23 don't think I shared. I think he is assuming this is 24 the original notice. It looks like you did amend it 25 after last week, we talked about changing it to 2:00</p> <p style="text-align: right;">Page 7</p>	<p>1 MR. RASMUSSEN: The time change, or you 2 added -- 3 MR. MCBRIDE: A 22nd item. 4 MR. RASMUSSEN: -- a 22nd item? 5 MR. MCBRIDE: Correct. 6 MR. RASMUSSEN: Just to put on the record, 7 I will object to this. The rules allow only, I think 8 it's twenty items. And so now it's at 22. 9 Q. Did you have a chance to review that, 10 Mr. Morris? 11 A. I did. 12 Q. Okay. And you are here to testify as the 13 designated representative for Cascade, LLC on all but 14 the very last topic; is that correct? 15 A. Yes. 16 Q. Are you the most knowledgeable person on 17 all of these topics, minus the last topic? 18 A. Yes, I would say so. 19 Q. Is it okay if I refer to Cascade 20 Collections, LLC as "Cascade" today? 21 A. That's just fine. 22 Q. Okay. Let's change gears a little bit 23 here and let's talk about your general background. 24 What is your highest level of education? 25 A. Associate's degree.</p> <p style="text-align: right;">Page 9</p>

<p>1 Q. And where did you get that degree from?</p> <p>2 A. Utah Valley University.</p> <p>3 Q. Sorry, you said Utah --</p> <p>4 A. Utah Valley University.</p> <p>5 Q. And when did you graduate from Utah Valley</p> <p>6 University?</p> <p>7 A. That would have been 2015.</p> <p>8 Q. And did you have any other higher</p> <p>9 education after high school besides Utah Valley</p> <p>10 University?</p> <p>11 A. Not yet, no.</p> <p>12 Q. And what year did you graduate from high</p> <p>13 school?</p> <p>14 A. Also 2015.</p> <p>15 Q. Okay. So just so I'm clear, you are</p> <p>16 saying that you took some -- you took classes, your</p> <p>17 associate's degree, while you were in high school and</p> <p>18 graduated the same year in high school as you did with</p> <p>19 your associate's degree?</p> <p>20 A. Yes, sir. My high school had some kind of</p> <p>21 agreement with UVU where -- yes, where seniors could</p> <p>22 graduate both with their high school diploma and their</p> <p>23 associate's degree.</p> <p>24 Q. Okay. Understood. Have you received any</p> <p>25 other degrees outside of the associate's degree?</p> <p style="text-align: right;">Page 10</p>	<p>1 want to know communications between you and your</p> <p>2 attorney as it's attorney/client privilege. Okay?</p> <p>3 Who is your current employer?</p> <p>4 A. Sorry. Could you be more clear on that?</p> <p>5 Q. Sure. Who do you work for?</p> <p>6 A. Cascade Collections.</p> <p>7 Q. And who owns Cascade Collections?</p> <p>8 A. That is Chad Rasmussen.</p> <p>9 Q. What is your current position there?</p> <p>10 A. Office manager.</p> <p>11 Q. How long have you worked there?</p> <p>12 A. I have worked at Cascade since last May.</p> <p>13 May 2019.</p> <p>14 Q. And was that always your title, office</p> <p>15 manager?</p> <p>16 A. For about -- well, for a couple of weeks I</p> <p>17 was training under the then-office manager. But after</p> <p>18 they left the company, I took on the position of office</p> <p>19 manager.</p> <p>20 Q. And did your position have a name in those</p> <p>21 first couple of weeks?</p> <p>22 A. I'm not sure. No, I don't believe so.</p> <p>23 Q. And who was that prior office manager?</p> <p>24 A. That was Diana Tartaglia.</p> <p>25 Q. And so Diana trained you for the position</p> <p style="text-align: right;">Page 12</p>
<p>1 A. No, sir.</p> <p>2 Q. Have you received any other certifications</p> <p>3 or trainings outside of the associate's degree?</p> <p>4 A. No, sir.</p> <p>5 Q. What documents did you review in</p> <p>6 preparation for this deposition?</p> <p>7 A. For this deposition, let me see. So, the</p> <p>8 signed contract for the plaintiff, as well as the</p> <p>9 collections agreement that we have with the original</p> <p>10 creditor in this case; various pdfs of letters sent for</p> <p>11 that; the procedure for account import, which includes</p> <p>12 the creation of the letters in question. And I believe</p> <p>13 that's about it. I could refer to our responses as</p> <p>14 they are all included, if you'd like.</p> <p>15 Q. Sure. And we will go over some of them.</p> <p>16 I just wanted to make sure or I just wanted to know</p> <p>17 what you had reviewed, you know, off the top of your</p> <p>18 head. And we will go over some more that will refresh</p> <p>19 your memory, as well, a little bit later.</p> <p>20 A. Okay. Excellent.</p> <p>21 Q. Have you discussed this case with anyone</p> <p>22 else besides your attorney?</p> <p>23 A. No.</p> <p>24 Q. And just as kind of a general rule here,</p> <p>25 in any of my questions that I'm asking you, I don't</p> <p style="text-align: right;">Page 11</p>	<p>1 of office manager at Cascade?</p> <p>2 A. Yes.</p> <p>3 Q. And can you please describe your duties as</p> <p>4 office manager?</p> <p>5 A. Sure. I mean, broadly managing the</p> <p>6 accounts that have been assigned by our clients to</p> <p>7 collections. Importing the accounts. Making contact</p> <p>8 with account debtors and, yeah, assisting them making</p> <p>9 payment arrangements.</p> <p>10 Q. Okay. And kind of going off of that, can</p> <p>11 you describe the general nature of Cascade's business?</p> <p>12 A. What do you mean by that?</p> <p>13 Q. What does Cascade do?</p> <p>14 A. It's a collections agency.</p> <p>15 Q. How many employees are there at Cascade?</p> <p>16 A. Just one.</p> <p>17 Q. How many locations are there?</p> <p>18 A. Just the one in Provo.</p> <p>19 Q. And you said that Cascade was a debt</p> <p>20 collection agency. So is the primary purpose of their</p> <p>21 business to collect debts?</p> <p>22 A. Yes, sir.</p> <p>23 Q. Is there anything else that Cascade does</p> <p>24 besides collect debts?</p> <p>25 A. No, sir.</p> <p style="text-align: right;">Page 13</p>

<p>1 Q. And what is the percentage, you know, 2 approximately estimate if you can, of consumer debt 3 that Cascade collects? And that's as opposed to 4 business debt.</p> <p>5 A. It's hard to -- I think it's hard to say. 6 We have a couple of clients who, for example, have 7 medical debt accounts that they send us. So those 8 would obviously be consumer debts. But I'm not sure I 9 could speak to the total percentage of that without, I 10 guess, going back and reviewing.</p> <p>11 Q. And would you say that there's more -- 12 that Cascade collects more consumer debt or more 13 business debt?</p> <p>14 A. I would probably say more consumer debt 15 than commercial debt.</p> <p>16 Q. And would you consider a purchase of a 17 vehicle a consumer debt?</p> <p>18 Let me rephrase the question.</p> <p>19 MR. RASMUSSEN: Objection. Calls for 20 speculation.</p> <p>21 Q. Actually, before you even answer, let me 22 rephrase my question.</p> <p>23 Would you consider a loan for an auto 24 purchase a consumer debt?</p> <p>25 MR. RASMUSSEN: I'm going to object.</p> <p style="text-align: right;">Page 14</p>	<p>1 testified to any of that.</p> <p>2 Q. You can answer if you know.</p> <p>3 A. Could you repeat the question, please?</p> <p>4 Q. Sure. And let me make it a little more 5 simple. Does Cascade buy debt from Astor Brothers &amp; 6 Company?</p> <p>7 A. No.</p> <p>8 Q. Does Cascade make any calls to Astor 9 Brothers &amp; Company's customers?</p> <p>10 A. Can you clarify what you mean by 11 "customers," please?</p> <p>12 Q. Sure. When you get assigned a particular 13 portfolio from Astor Brothers &amp; Company, I assume that 14 there's, based on the discovery responses, there are 15 particular people that owe debt or allegedly owe debt 16 to Astor Brothers &amp; Company. Does Cascade call those 17 people?</p> <p>18 A. Yes.</p> <p>19 Q. And what do they call them for?</p> <p>20 A. To try to make contact with the account 21 debtors to try to make payment arrangements and thus 22 pay off the debt.</p> <p>23 Q. Can you please describe the process in 24 which Astor Brothers &amp; Company assigns accounts to 25 Cascade for collection?</p> <p style="text-align: right;">Page 16</p>
<p>1 That's vague and ambiguous.</p> <p>2 Q. You can answer if you know.</p> <p>3 A. I think it could potentially be, but I 4 would also say it depends on -- I would say you could 5 argue it depends on what the vehicle is used for, 6 whether or not it's a commercial or consumer product.</p> <p>7 Q. Okay. Fair enough. So you're saying that 8 if the vehicle is used for personal use, then it would 9 be a consumer debt; is that correct?</p> <p>10 A. Yes.</p> <p>11 Q. And can you describe the relationship 12 between Cascade and Astor Brothers &amp; Company?</p> <p>13 A. Yeah. Per our collections agreement, we 14 are independent contractors.</p> <p>15 Q. And what is Cascade independently 16 contracted to do?</p> <p>17 A. To collect debts on behalf of, in this 18 case, Astor Brothers.</p> <p>19 Q. Okay. So I just want to make sure that 20 I'm understanding. So you're saying that Cascade is 21 assigned the debt to collect, but Cascade doesn't 22 actually buy the debt from Astor Brothers &amp; Company. 23 Correct?</p> <p>24 MR. RASMUSSEN: Objection.</p> <p>25 Mischaracterizes Tucker's testimony. I don't think he</p> <p style="text-align: right;">Page 15</p>	<p>1 A. Yes. So, they fill out a spreadsheet that 2 we provide them with information about each account 3 they would like us to collect on. Once they have 4 filled out that information, they return the 5 spreadsheet to us. We review the information we have, 6 import it into our system, and -- I'm sorry. What was 7 the full question again just so I can know when to 8 stop?</p> <p>9 MR. MCBRIDE: Diana, can you repeat the 10 question, please?</p> <p>11 (The record was read as follows: 12 Question: "Can you please describe the 13 process in which Astor Brothers &amp; Company 14 assigns accounts to Cascade for collection?")</p> <p>15 A. Oh, I see. Thank you, Diana.</p> <p>16 Yeah, so as far as their assigning 17 accounts to us, they take the account that they have 18 written off and they fill out the spreadsheet and they 19 send it to us.</p> <p>20 Q. (By Mr. McBride) Okay. And how is this 21 process initiated? Do you reach out to them? Do they 22 reach out to Cascade?</p> <p>23 A. So, our creditors will reach out to us 24 when they have accounts they would like us to collect 25 on.</p> <p style="text-align: right;">Page 17</p>

<p>1 Q. Okay. And you mentioned that Cascade will 2 import the information on the spreadsheet into its 3 system. How does that work? 4 A. Let's see. The actual mechanics of how I 5 guess the import goes from the spreadsheet into the 6 system, that's just because it's computer stuff. But 7 we check the spreadsheet for formatting to make sure 8 that it's in a format that our software likes, and then 9 it's just an automated process once the spreadsheet is 10 formatted correctly. We go in and just ask the system 11 to do it. 12 Q. And are you, Mr. Morris, the person who 13 goes and puts it into the -- inputs it into your 14 system? 15 A. Yes, sir. 16 Q. How often does Astor Brothers &amp; Company 17 provide a list of people from which to collect? 18 A. Fairly rarely. We, if -- not very 19 frequently. Maybe -- I'm sorry. Come to think of it, 20 they sent us one big batch and I'm not sure if they 21 have, off the top of my head, sent us any since. I'd 22 be happy to look, though, if you'd like. 23 Q. And how many consumers were included in 24 that one big batch? 25 A. There were about 160 accounts in that one.</p> <p style="text-align: right;">Page 18</p>	<p>1 MR. MCBRIDE: So, I've marked the exhibit 2 as including both of those. 3 MR. RASMUSSEN: Okay. 4 Q. (By Mr. McBride) So yeah. And just to 5 make the record clear, it appears there -- I wasn't 6 sure if there were -- let me ask you this, actually, 7 Mr. Morris. 8 Is there more than one document in Exhibit 9 2? 10 A. Yes. Yeah. So -- yes. So there's the 11 Collection Agreement and then there's the partially 12 redacted spreadsheet of accounts. 13 Q. Okay. Where did this spreadsheet of 14 accounts come from? 15 A. It came from Astor Brothers. Like I said, 16 they fill out the information, and they sent it to us. 17 Q. Okay. So this is the spreadsheet that 18 Astor Brothers &amp; Company fills out, correct? 19 A. Correct. 20 Q. Okay. And these accounts are all, as you 21 said before, written off. Does that mean that they are 22 all overdue at the time they are sent to Cascade? 23 A. Yes. 24 Q. Okay. Once everything is input into the 25 Cascade system, what happens next?</p> <p style="text-align: right;">Page 20</p>
<p>1 Q. And when was that sent to Cascade? 2 A. That would have been, let's see, it was 3 before I started there. I believe it was early 2018. 4 But again, I could verify that if you'd like. 5 Q. And so in your responses you're excluding 6 the portfolio that was included in your discovery 7 responses in this case, correct? 8 A. Oh, I'm not sure. 9 Q. I'm going to introduce a second exhibit 10 here. Maybe we can clear this up. 11 A. Okay. 12 Q. It should have been introduced if you can 13 go ahead and either refresh or go back into the 14 exhibits and let me know once you can see. It's the 15 Collection Agreement and Assignment of Accounts. 16 A. Okay. Yes, I can see that. 17 Q. This particular collection agreement, is 18 this referring to the 160 accounts that you were just 19 talking about? 20 A. Among -- yes, among -- yes, it is. 21 Q. Okay. 22 MR. RASMUSSEN: Now, Ryan, I just want to 23 make sure you have the collection agreement with a 24 spreadsheet of accounts. Is that what you're wanting, 25 or are you wanting just a collection agreement?</p> <p style="text-align: right;">Page 19</p>	<p>1 A. After they are imported, then the first 2 step is to generate, review, and send out a dunning 3 letter to the account debtor. 4 Q. Okay. Just so we are on the same page 5 here, by a dunning letter you mean a collection letter? 6 A. Yes. 7 Q. Okay. And how does that process work? 8 A. There is a function on our system where we 9 are able to generate and download documents from 10 premade templates. Well, I say "premade." Templates I 11 guess premade by us, by Cascade. 12 Q. Okay. And once those premade templates 13 are created -- I'm assuming are those created on a 14 computer? 15 A. Yes, sir. 16 Q. Okay. And once they are created on a 17 computer, what's the next step? 18 A. As I said, they are reviewed for accuracy 19 and printed out and mailed to the account debtor. 20 Q. Are they all printed out at Cascade? 21 A. Yes. 22 Q. And is the office manager the one that 23 takes care of printing and mailing these letters? 24 A. Yes. 25 Q. In regards to the Astor Brothers &amp; Company</p> <p style="text-align: right;">Page 21</p>

<p>1 portfolio, were letters sent out to each and every one 2 of the people that were listed on the spreadsheet that 3 they provided? 4 A. Yes. 5 Q. And was anything done differently as to 6 any of those people that were sent that collection 7 letter? 8 MR. RASMUSSEN: Object. That's kind of a 9 vague and ambiguous question. 10 Q. You can answer. 11 A. Yeah, I think it's a little bit vague, as 12 well. 13 Q. Okay. And just to be clear, opposing 14 counsel is going to make objections to reserve his 15 right to bring that up in the future. But unless it's 16 asserting an attorney/client privileged question, I'm 17 going to ask you to answer, just so we are on the same 18 page. I'm happy to try to clarify that question and 19 make it a better question. 20 So you sent all these letters out to -- 21 Cascade sent all these letters out to the people listed 22 in the spreadsheet for Astor Brothers &amp; Company. Was 23 there -- did you do anything -- did Cascade do anything 24 differently in regards to putting together the whole 25 process that we just talked about; so inputting the</p> <p style="text-align: right;">Page 22</p>	<p>1 A. Yes. It looks to be account notes for the 2 plaintiff. 3 Q. Did you review this before the deposition? 4 A. I did. 5 Q. Are these all of the account notes for the 6 plaintiff, Francisco Rodriguez? 7 A. Yes. 8 Q. Okay. So can you -- I can ask you 9 questions one by one, but if you could just walk me 10 through what you did on his account, that would be 11 helpful. 12 A. Okay. Let me take a look. You'll see 13 that the first two, four, six or so notes are for 14 actions taken by Diana, who was the then-manager. 15 Let's see. So generally an envelope with the address 16 for the account debtor is the first three. It looks 17 like there's maybe an error or something there. And 18 then following that it says, "Document Generated: 19 FDCPA: Dunning Prelit," which is the collections 20 letter. 21 And then let's see. The next one up was 22 just a change in account status marking it for our 23 reference, by Chad Rasmussen marking that the account 24 or rather the account debtor had filed bankruptcy. And 25 finally, just a note from myself notating that the</p> <p style="text-align: right;">Page 24</p>
<p>1 information into the system, formulating a collection 2 letter, and then printing out and mailing the 3 collection letter? Was anything done differently in 4 regards to, for instance, like a subset of people, like 5 ten people? That's kind of what I'm getting at, and I 6 can ask that again if you'd like. 7 A. Okay. I think I understand. 8 No. With the exception of I guess letters 9 being sent to different people with different amounts 10 owing at different addresses and stuff, no exceptions. 11 Q. Okay. So the contact information and 12 amount due obviously would be different for each 13 person. But other than that, it was kind of the same 14 process that you went through, right? 15 A. Right. 16 Q. Okay. I'm going to introduce an exhibit 17 so just give me one second here. It's loading. 18 MR. RASMUSSEN: This is another exhibit, 19 Ryan, you're doing? 20 MR. MCBRIDE: Correct. So it should have 21 been introduced, this is going to be Exhibit 3. 22 Q. (By Mr. McBride) Mr. Morris, please let 23 me know when you're there. 24 A. I can see it. 25 Q. Okay. Do you recognize this document?</p> <p style="text-align: right;">Page 23</p>	<p>1 bankruptcy had been dismissed. 2 Q. Okay. Thank you. Just a couple of 3 clarifying questions here. So you think that the 4 reason there were three entries regarding generating an 5 envelope was probably an error; is that correct? 6 A. Yes. That would be my belief, yes. 7 Because -- let's see. Because it looks like the second 8 and third ones were generated three minutes apart. 9 Q. Okay. And what about the dunning letter; 10 it looks like those time periods are pretty far apart, 11 from what I can tell. It looks like it happened on 12 three different dates. Are those three different 13 letters sent on three consecutive days or was that also 14 an error, you think? 15 A. As I said before, I'm not sure because it 16 was Diana Tartaglia who documented those. It would be 17 done for review and direction if she noticed a mistake. 18 Yeah. 19 Q. Okay. And the collection that happened in 20 these account notes, that was on behalf of Astor 21 Brothers &amp; Company; is that correct? 22 A. That's correct. 23 Q. And do you know what the original debt was 24 for with Astor Brothers &amp; Company? 25 A. I know it was for a car loan. I could</p> <p style="text-align: right;">Page 25</p>



<p>1 find exactly, I guess, the vehicle in question. But I</p> <p>2 don't know off the top of my head.</p> <p>3 Q. Okay. And so based on our previous</p> <p>4 conversation about, you know, consumer debt with auto</p> <p>5 purchases, you think that if Mr. Rodriguez used this</p> <p>6 vehicle for personal use then it would be a consumer</p> <p>7 debt; is that correct?</p> <p>8 A. Yes.</p> <p>9 Q. Besides what's in these account notes, did</p> <p>10 Cascade take any other collections actions against</p> <p>11 Mr. Rodriguez?</p> <p>12 A. No.</p> <p>13 Q. And can you tell from these account notes</p> <p>14 if the letter was actually sent to Mr. Rodriguez, the</p> <p>15 plaintiff?</p> <p>16 A. I mean, based on my normal work I would</p> <p>17 say, yes, I can confirm this letter was sent.</p> <p>18 Q. Okay. I'm going to introduce Exhibit 4,</p> <p>19 please. Let me know when it's in front of you,</p> <p>20 Mr. Morris.</p> <p>21 A. I can see it.</p> <p>22 Q. Great. Do you recognize this document?</p> <p>23 A. I do.</p> <p>24 Q. What is it?</p> <p>25 A. This is the collections letter that we</p> <p style="text-align: right;">Page 26</p>	<p>1 A. Not just yet. I started in May of that</p> <p>2 year.</p> <p>3 Q. And creating this document was a regular</p> <p>4 part of Cascade's business, correct?</p> <p>5 A. Yes. Correct.</p> <p>6 Q. Would you agree that this letter is a</p> <p>7 communication between Cascade and Mr. Rodriguez?</p> <p>8 A. Yes, I would agree it's a communication.</p> <p>9 Q. Would you agree that this letter is an</p> <p>10 attempt to collect \$19,138.39 from Mr. Rodriguez?</p> <p>11 A. Yes, I would.</p> <p>12 Q. Would you agree that Cascade wanted</p> <p>13 Mr. Rodriguez to pay the amount due upon receipt of the</p> <p>14 letter?</p> <p>15 A. Yes. Or at his earliest convenience.</p> <p>16 Q. And I know this may seem a little</p> <p>17 repetitive to you and I apologize, but the purpose of</p> <p>18 the letter was to prompt a payment, correct?</p> <p>19 A. Yes.</p> <p>20 Q. Okay.</p> <p>21 A. Sorry, as well as to notify him of our</p> <p>22 attempts to collect the debt.</p> <p>23 Q. Okay. Thank you.</p> <p>24 What's the name of the software system</p> <p>25 that you use when you input the debtor's information</p> <p style="text-align: right;">Page 28</p>
<p>1 sent to the plaintiff, Francisco Rodriguez.</p> <p>2 Q. And is this the letter that is referred to</p> <p>3 in the previous exhibit that we just looked at with the</p> <p>4 account notes for Mr. Rodriguez?</p> <p>5 A. I'll check. Yes.</p> <p>6 Q. And it's dated April 26, 2019, correct?</p> <p>7 A. Yes, sir.</p> <p>8 Q. And to the best of your knowledge is this</p> <p>9 a true and accurate copy of the collection letter that</p> <p>10 was sent to Mr. Rodriguez dated April 26, 2019?</p> <p>11 A. From what I can tell, yes.</p> <p>12 Q. And based on the account notes, when was</p> <p>13 this document created?</p> <p>14 A. Just give me one sec while I take a look.</p> <p>15 Q. No problem.</p> <p>16 A. Let's see. It would have been the -- I'm</p> <p>17 sorry. Document generated on April 26th.</p> <p>18 Q. And that's 2019?</p> <p>19 A. Yes, sir.</p> <p>20 Q. And who created this document?</p> <p>21 A. It would have been Diana Tartaglia that</p> <p>22 generated it.</p> <p>23 Q. And were you -- forgive me, I forget the</p> <p>24 date you started working. Were you working for Cascade</p> <p>25 at this point on April 26, 2019?</p> <p style="text-align: right;">Page 27</p>	<p>1 into your system?</p> <p>2 A. It's Simplicity Collect. Simplicity</p> <p>3 Collect.</p> <p>4 Q. And Simplicity is the company that creates</p> <p>5 the premade templates for you; is that correct?</p> <p>6 A. No, sir. We create our own templates that</p> <p>7 Simplicity stores for our use.</p> <p>8 Q. Okay. Simplicity, though -- once you've</p> <p>9 created those templates, Simplicity helps you generate</p> <p>10 letters using those templates; is that right?</p> <p>11 A. Yes. In various formats, is mostly the</p> <p>12 reason why.</p> <p>13 Q. I'm going to introduce Exhibit 5. Please</p> <p>14 let me know when you can see it.</p> <p>15 A. Okay. I can see it.</p> <p>16 Q. Okay. First, do you recognize this</p> <p>17 document?</p> <p>18 A. Yes. It is our, Cascade Collection's,</p> <p>19 Answer.</p> <p>20 Q. And it's Cascade's Answer to plaintiff's</p> <p>21 complaint in this case.</p> <p>22 And actually, hold on. Yes.</p> <p>23 So that's my question, just to kind of</p> <p>24 clarify. It's Cascade's Answer to plaintiff's</p> <p>25 Complaint in this case, correct?</p> <p style="text-align: right;">Page 29</p>

<p>1 A. Yes, sir. Sorry. I was just reading the 2 title of the document.</p> <p>3 Q. No problem. Let's go to page 5 of this 4 document.</p> <p>5 A. Okay.</p> <p>6 Q. And let's look at the second defense. It 7 says that -- well, I can let you read it. Essentially 8 my question, and I'll let you read through it and give 9 you a second, but my question is going to be what facts 10 do you have to support that defense?</p> <p>11 A. In this case a plaintiff had a debt that 12 we were collecting; and because he owed money, any 13 damages or amount that we could be made to pay can be 14 set off.</p> <p>15 Q. Okay. Let's go to the second defense 16 which I believe is on the next page. Page 6. I'll 17 give you a second to read through that. Let me know 18 when you finish.</p> <p>19 A. Okay.</p> <p>20 Q. Okay. This is what the -- what we refer 21 to as a bona fide error defense. So my question is 22 what error occurred in sending out these letters, the 23 letter to Mr. Rodriguez?</p> <p>24 A. Allegedly the error pertained to language 25 used in the second paragraph of the collections letter</p> <p style="text-align: right;">Page 30</p>	<p>1 Q. Okay. So I guess for the sake of 2 following up on this, if there was an alleged error, 3 what policies did Cascade have in place to avoid this 4 error?</p> <p>5 A. We retain an attorney who proofreads any 6 templates that we have and makes sure that -- I'm 7 trying to think of the word. Make sure that they 8 conform to the law.</p> <p>9 Q. And that attorney is Mr. Rasmussen?</p> <p>10 A. That's correct.</p> <p>11 Q. Are there any other policies that Cascade 12 employed to avoid this alleged error?</p> <p>13 A. Yes. As part of an import policy, we do 14 check the letters before we send them out, to make sure 15 everything looks okay, to make sure they all look 16 compliant.</p> <p>17 Q. Who checks the letters?</p> <p>18 A. I do.</p> <p>19 Q. And what are your procedures in place to 20 follow that policy? For instance, do you -- each 21 batch, do you sit down and do it? Or do you do it 22 every week? What specific procedures do you have in 23 place to follow that policy?</p> <p>24 A. Okay. I mean, it's -- sorry. Trying to 25 figure out how to say it. It's -- whenever we have a</p> <p style="text-align: right;">Page 32</p>
<p>1 in the part that states that if an account debtor wants 2 to verify the debt or dispute the debt that they need 3 to contact us to do so. And the alleged error was the 4 language used in defining how they could do so.</p> <p>5 Q. Okay. And I notice you are using the word 6 "alleged." Are you saying that Cascade's position is 7 that they did not commit an error?</p> <p>8 A. Yes, sir. Or rather we did not commit a 9 violation of the FDCPA.</p> <p>10 Q. Okay. So, I get that. You're saying you 11 didn't commit a violation of the FDCPA. So what is 12 Cascade's position as far as an error? Was there an 13 error committed or was there not an error committed?</p> <p>14 MR. RASMUSSEN: I'm going to object. It's 15 kind of argumentative.</p> <p>16 Q. You can answer.</p> <p>17 A. Could you repeat the question, please, so 18 I can have it again?</p> <p>19 Q. Sure. In regards to the allegation in 20 Mr. Rodriguez's complaint, was there an error committed 21 by Cascade?</p> <p>22 A. I don't -- I don't believe so. I believe 23 it was the semantics of the sentence rather than an 24 actual substance of the sentence that led to 25 Mr. Rodriguez's complaint.</p> <p style="text-align: right;">Page 31</p>	<p>1 batch of accounts that we have received, just part of 2 the process of sending out the collection letters, as I 3 mentioned, is checking and making sure that the 4 information, you know, contact information, debt 5 information, matches what we have in our system. And 6 just making sure that we are sending the right document 7 to the right person with the right information on it.</p> <p>8 Q. Okay. So you check to see if the right 9 document is being sent off to the right person with the 10 right information, as you just testified. But how does 11 that help correct the alleged error that happened here 12 with the alleged language that violates the FDCPA?</p> <p>13 A. Oh, I see. I'm sorry. I misunderstood 14 your question.</p> <p>15 So as far as that goes, like I said, our 16 attorney keeps abreast of any changes to the law, or 17 required language, or anything like that, and 18 periodically makes changes that he thinks prudent and 19 then allows us to review it and make sure that we also 20 agree with the changes that are made. And there's been 21 a variety of changes made to our documents throughout 22 the years.</p> <p>23 Q. Okay. So besides that policy, are there 24 any other policies that Cascade had that would avoid 25 this alleged error?</p> <p style="text-align: right;">Page 33</p>

<p>1 A. Besides editing the templates before they 2 are made, as I said, and then checking them after they 3 are made, as I also said, no.</p> <p>4 Q. In regards to editing the templates, are 5 you editing it for -- again, are you still talking 6 about changing the contact information, the right 7 information, but we're not talking about the language 8 that was alleged in the complaint, correct?</p> <p>9 A. So specifically for the language in the 10 request, that would be something that Chad Rasmussen 11 would take care of, like I said. Looking at that 12 information, making sure that it is compliant with the 13 law, and then sending it over and running it by us so 14 that we can make sure that it is, also. So that's done 15 before any individual documents are made.</p> <p>16 Q. Okay. When was the last time before April 17 26, 2019 that Mr. Rasmussen reviewed the collection 18 letters?</p> <p>19 A. Let me see. It would have been -- let me 20 see. I believe January 2018, but I could double check 21 that.</p> <p>22 Q. Okay. And that's a pretty specific month 23 about a year and a half earlier, more than two years 24 before now. So how did you come up with that 25 particular time period?</p> <p style="text-align: right;">Page 34</p>	<p>1 A. Yeah. The royal we, Cascade.</p> <p>2 Q. Does Cascade or the current office 3 manager, will they review the collection letters to 4 make sure they comply with the law without 5 Mr. Rasmussen first reviewing it?</p> <p>6 A. I guess I'm a little confused. As opposed 7 to what?</p> <p>8 Q. Sure. So you just testified that not only 9 will Mr. Rasmussen review the collection letter 10 templates, but then he will send it to the office 11 manager, or Cascade in general. Will Cascade or the 12 office manager, will they just review it independently 13 at some point without Mr. Rasmussen's direction, or do 14 they always wait for Mr. Rasmussen to prompt Cascade to 15 review the collection letter?</p> <p>16 A. I mean, we wait until he is done making 17 changes because then we have changes to look at and 18 see. I'm not sure I understand your question.</p> <p>19 Q. So Cascade won't independently review a 20 collection letter to see if it complies with the law?</p> <p>21 A. Not before Mr. Rasmussen has made changes. 22 Because, you know, to -- like I was saying, to keep in 23 compliance with the law.</p> <p>24 Q. Sure. I think we are getting --</p> <p>25 A. I think we are circling each other.</p> <p style="text-align: right;">Page 36</p>
<p>1 A. I reviewed the letters and I found the 2 first one that -- I should say I reviewed the first one 3 that I guess has the then-current template that we were 4 using up until the date mentioned.</p> <p>5 Q. Okay. Does Cascade have particular 6 procedures in place for when Mr. Rasmussen reviews the 7 collection letters for accuracy?</p> <p>8 A. Could you clarify your question? What do 9 you mean by that?</p> <p>10 Q. Sure. And I think the end of the question 11 got a little confusing there.</p> <p>12 Does Cascade have a procedure for how 13 often Mr. Rasmussen reviews the collection letters?</p> <p>14 A. No. We trust Mr. Rasmussen's prudence on 15 updating them in accordance with the law.</p> <p>16 Q. And not only does Cascade trust 17 Mr. Rasmussen, but they rely solely on Mr. Rasmussen to 18 make sure that the letters comply with the law, 19 correct?</p> <p>20 A. As I said, we do review them to make sure 21 that they comply with the law before we use them. 22 Mr. Rasmussen does update them, but then we look them 23 over to make sure that we agree with his changes.</p> <p>24 Q. Okay. And by "we," you mean the current 25 office manager?</p> <p style="text-align: right;">Page 35</p>	<p>1 Q. Yeah. I think we are trying to get at the 2 same thing. And I think we are just not -- yeah.</p> <p>3 So let me just kind of close that out with 4 Cascade won't proactively go and review a collection 5 letter for compliance with the law. They will wait for 6 Mr. Rasmussen to direct them to do so; is that correct?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. I think now is a good time to take 9 our first break, and hopefully our only break. We are 10 going to move topics and let's take a five-minute 11 break. Okay?</p> <p>12 A. Okay.</p> <p>13 (Break taken from 2:58 to 3:04 p.m.)</p> <p>14 Q. (By Mr. McBride) So let's take a look at 15 Exhibit 4, please. Let me know when you're there.</p> <p>16 MR. RASMUSSEN: We're there.</p> <p>17 Q. Okay. In regards to the language that was 18 referenced in the Complaint in the second paragraph of 19 this letter, what did Cascade rely on in using this 20 language?</p> <p>21 A. I don't understand your question.</p> <p>22 Q. Sure. Where did this language originate 23 from?</p> <p>24 A. The specific language was from 25 Mr. Rasmussen, but the general language is from the</p> <p style="text-align: right;">Page 37</p>

<p>1 FDCPA regarding debt disputes.</p> <p>2 Q. Okay. And do you know what Mr. Rasmussen</p> <p>3 relied on in believing that this language complied with</p> <p>4 the law?</p> <p>5 A. I don't personally know what</p> <p>6 Mr. Rasmussen -- what his thought process was, no.</p> <p>7 Q. Okay. Who would know?</p> <p>8 A. Mr. Rasmussen.</p> <p>9 Q. I'm going to introduce - give me one</p> <p>10 second here - introduce Exhibit 6 and it should be</p> <p>11 popping up in a second here. So please let me know</p> <p>12 when you have it in front of you.</p> <p>13 MR. RASMUSSEN: Is it a big file?</p> <p>14 MR. MCBRIDE: Yes. It should have just --</p> <p>15 MR. RASMUSSEN: Four mgs, that's why.</p> <p>16 THE WITNESS: Okay.</p> <p>17 Q. (By Mr. McBride) So these are -- there's</p> <p>18 a lot more than one document, but do you recognize what</p> <p>19 these documents are?</p> <p>20 A. Yes. These are more collection letters.</p> <p>21 Q. Okay. And can you tell me specifically,</p> <p>22 you know, are these collection letters as part of a</p> <p>23 certain portfolio?</p> <p>24 A. Let me see. It looks like these are from</p> <p>25 various creditors, so not one particular portfolio, no.</p> <p style="text-align: right;">Page 38</p>	<p>1 Q. Have you seen all of these -- have you</p> <p>2 reviewed all of these documents before your deposition?</p> <p>3 A. Yes.</p> <p>4 Q. In this exhibit?</p> <p>5 A. Yes.</p> <p>6 Q. Do all of these letters contain the same</p> <p>7 language complained of in Mr. Rodriguez's complaint?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. I'm going to introduce Exhibit 7,</p> <p>10 and it should be there now. Please let me know when</p> <p>11 you're there.</p> <p>12 A. We are there.</p> <p>13 Q. Okay. Do you recognize this document?</p> <p>14 A. Yes. These are our responses to the</p> <p>15 Plaintiff's Interrogatories, Request for Admissions,</p> <p>16 and Request for Production of Documents.</p> <p>17 Q. Did you help in preparing these responses?</p> <p>18 A. I did.</p> <p>19 Q. And on page 28, and I'll give you a second</p> <p>20 to get there, but once you get there is that your</p> <p>21 signature on page 28?</p> <p>22 A. Yes, sir.</p> <p>23 Q. Okay. And are these responses to</p> <p>24 Plaintiff's Discovery Requests true and accurate to the</p> <p>25 best of your knowledge?</p> <p style="text-align: right;">Page 40</p>
<p>1 Q. Do you know what time period these letters</p> <p>2 cover?</p> <p>3 A. Let me take a look. They look like -- let</p> <p>4 me take a look. I believe that these --</p> <p>5 MR. RASMUSSEN: I don't want to be</p> <p>6 difficult, but it's a little vague. What's the</p> <p>7 question? I mean, there's dates on every letter.</p> <p>8 MR. MCBRIDE: I'd like him to answer the</p> <p>9 question, if he can. It sounds like he was going to.</p> <p>10 A. Yeah. It looks like they are the letters</p> <p>11 that span the year from when, I guess, the letter to</p> <p>12 Mr. Francisco was sent. But I would have to verify it</p> <p>13 again throughout the letters.</p> <p>14 Q. And just to clarify I guess, you said that</p> <p>15 these collection letters are from or regarding</p> <p>16 different original creditors. Do you know that for</p> <p>17 certain, or is that just something that you believe at</p> <p>18 this point?</p> <p>19 A. I know that for certain. These are</p> <p>20 different creditors.</p> <p>21 Q. And how do you know that?</p> <p>22 A. Based on the account number given on the</p> <p>23 letters. Each account number, the middle portion of</p> <p>24 them relates to which creditor they're from, and</p> <p>25 different middle parts are from different creditors.</p> <p style="text-align: right;">Page 39</p>	<p>1 A. Yes.</p> <p>2 Q. Between February 21, 2019 and February 21,</p> <p>3 2020 do you know approximately how many letters were</p> <p>4 sent that used the similar language that was referred</p> <p>5 to in the complaint of Mr. Rodriguez?</p> <p>6 A. Let me see. I know the figure is in the</p> <p>7 Responses. Off the top of my head I believe it's</p> <p>8 260-something. But if you'd like, I could refer to the</p> <p>9 text.</p> <p>10 Q. Yeah. Go ahead and refer to the text, if</p> <p>11 you need. That's fine.</p> <p>12 MR. RASMUSSEN: Ryan could you repeat the</p> <p>13 question please?</p> <p>14 MR. MCBRIDE: Diana, can you repeat the</p> <p>15 question, please?</p> <p>16 (The record was read as follows:</p> <p>17 Question: "Between February 21, 2019 and</p> <p>18 February 21, 2020 do you know approximately how</p> <p>19 many letters were sent that used the similar</p> <p>20 language that was referred to in the complaint</p> <p>21 of Mr. Rodriguez?")</p> <p>22 A. Yeah, that number was 262.</p> <p>23 Q. (By Mr. McBride) Okay. Was that -- were</p> <p>24 those all from the same original creditor, or were they</p> <p>25 regarding several different original creditors?</p> <p style="text-align: right;">Page 41</p>

<p>1 A. That was regarding several different 2 original creditors.</p> <p>3 Q. Which original creditors were included in 4 those responses?</p> <p>5 A. Let me see. That would have been --</p> <p>6 MR. RASMUSSEN: I'm going to object to 7 that. That's confidential information and I don't 8 think you're entitled to that discovery.</p> <p>9 MR. MCBRIDE: How is that confidential?</p> <p>10 MR. RASMUSSEN: It's proprietary and 11 confidential.</p> <p>12 MR. MCBRIDE: What's proprietary?</p> <p>13 MR. RASMUSSEN: Business relationships.</p> <p>14 MR. MCBRIDE: Well, the fact that you have 15 a business relationship with a company isn't 16 confidential. I'm not asking, like, particular details 17 about your relationship with them.</p> <p>18 MR. RASMUSSEN: But you are trying to 19 identify their identity.</p> <p>20 MR. MCBRIDE: You think their identity is 21 confidential?</p> <p>22 MR. RASMUSSEN: Yeah.</p> <p>23 MR. MCBRIDE: Really? Okay. Are you 24 instructing your client not to answer?</p> <p>25 MR. RASMUSSEN: I guess he can answer if Page 42</p>	<p>1 know, one batch, I believe you referred to it as. Was 2 this batch of letters sent all in one time period? And 3 if so, what was the time period?</p> <p>4 A. Let's see. From the big batch that would 5 have been sent all in one, all together because they 6 came as one spreadsheet, although the time frame for 7 that I don't know off the top of my head but I could 8 find it out.</p> <p>9 Q. Okay. But would it be safe to say it was 10 within or around the time period of the April 26, 2019 11 letter that was sent to Mr. Rodriguez?</p> <p>12 A. I'm not sure. I'd have to verify that.</p> <p>13 Like I said, I'm not sure off the top of my head.</p> <p>14 Q. Okay. And you said there were 188 letters 15 sent on behalf of the Astor Brothers &amp; Company, 16 correct?</p> <p>17 A. Correct.</p> <p>18 Q. So that -- how did you know that number 19 just off the top of your head?</p> <p>20 A. Because I went through all of them and, 21 yeah, and I counted how many different letters were 22 sent.</p> <p>23 Q. Okay. And you did that before this 24 deposition?</p> <p>25 A. Yes, sir.</p> <p>Page 44</p>
<p>1 he knows.</p> <p>2 THE WITNESS: I don't know them all off 3 the top of my head.</p> <p>4 MR. RASMUSSEN: And I guess I'll also 5 object to lack of foundation. This was not part of the 6 topic in your deposition notice.</p> <p>7 Q. (By Mr. McBride) Mr. Morris? Sorry, I 8 didn't hear your answer.</p> <p>9 A. Oh, I said I didn't know off the top of my 10 head, and then Chad said something.</p> <p>11 Q. Okay. You don't know any of the other 12 creditors?</p> <p>13 A. I said I don't know them all off the top 14 of my head.</p> <p>15 Q. Okay. Can you name the ones that you do 16 know?</p> <p>17 A. Yes. So in addition to Astor Brothers, 18 there was Dean W. Maintenance, Cutting Edge Drywall, 19 Utah Urology, LLC, Imagewear, I believe, and Titan 20 Athletics are the ones I remember.</p> <p>21 Q. How many of the 262 letters that were sent 22 were regarding Astor Brothers &amp; Company accounts?</p> <p>23 A. I believe that figure is 188.</p> <p>24 Q. And before, we talked about there was like 25 one large account with Astor Brothers where -- you Page 43</p>	<p>1 Q. Okay. And earlier on in the deposition 2 you mentioned something about 160 big batch accounts 3 from Astor Brothers &amp; Company. Is that a different 4 batch that we are talking about now?</p> <p>5 A. So during the break I found that I was 6 mistaken. We have had four different batches come 7 through for Astor Brothers, the largest one being the 8 160.</p> <p>9 Q. Okay. When did the batch that 10 Mr. Rodriguez was included in come through?</p> <p>11 A. Let's see. Could I refer to my 12 documentation?</p> <p>13 Q. Sure. Just tell me what you are referring 14 to, I guess.</p> <p>15 A. Okay. Yes, sorry. Let me see. So I'm 16 referring to the defendant's Responses to the 17 Interrogatories, Request for Admissions.</p> <p>18 Okay. Per our response to Interrogatory 19 Number 2, let's see, we received a spreadsheet on the 20 23rd of April, 2019.</p> <p>21 Q. Okay. I see that. Where -- I'm sorry, 22 when did Cascade receive the other three portfolios?</p> <p>23 A. Let me take a look. I don't know off the 24 top of my head. But again, I could find that out.</p> <p>25 Q. And just so I'm clear, the portfolio that Page 45</p>


<p>1 Mr. Rodriguez was included in, that's the 188 -- the 2 one where Astor Brothers &amp; Company provided 188 3 accounts? 4 A. No. Sorry. I might have explained it 5 poorly. So cumulatively with the four batches there 6 have been 188 letters sent out. The largest single 7 batch was 160, although I'm not sure if that's the one 8 that contained Mr. Rodriguez's account. 9 Q. Okay. Okay. So the three other batches 10 that we don't know when they were sent to Cascade, 11 those were comprised of about 28 accounts, total? 12 A. Right. 13 Q. Okay. Understood. And were all of these 14 188 accounts sent letters by Cascade? 15 A. Sorry. Can you repeat the question? 16 Q. Sure. Were all of the 188 accounts from 17 Astor Brothers &amp; Company sent letters by Cascade? 18 A. I believe so. 19 Q. And were any of those letters sent before 20 February 21, 2019? 21 A. No. 22 Q. And looking at Exhibit 4, which is the 23 letter that was sent to Mr. Rodriguez, besides the 24 contact information and the amount owed, is there 25 anything different in that letter than the rest of the</p> <p style="text-align: right;">Page 46</p>	<p>1 the exhibit, so I'm not positive. 2 Q. Sure. And I guess what I'm trying to get 3 at here is I think that there's more letters here than 4 the 188 letters. Do you think -- is that accurate? 5 A. Yes. But as stated, this exhibit -- oh, 6 this exhibit also includes, in addition to letters, it 7 also includes account import procedures and stuff like 8 that. Let me see. 9 MR. RASMUSSEN: Ryan, I don't want to be 10 difficult, but maybe you can specify. You already said 11 earlier there's multiple documents so you can maybe 12 specify more clearly on your questions. 13 Q. Yeah. I mean, I'm generally referring to 14 this exhibit because what I'm trying to determine is 15 whether all 188 letters that Cascade sent on behalf of 16 Astor Brothers &amp; Company are included in this exhibit. 17 That's what I'm trying to get at. 18 A. To the best of my knowledge, yes. 19 Q. Okay. And do you happen to have it pulled 20 up yet? 21 A. Yes. It's pulled up. 22 MR. RASMUSSEN: Yeah, it's up now. 23 Q. Okay. I just, just so I understand, the 24 parts that are redacted I'm assuming are the contact 25 information for each of these consumers that were sent</p> <p style="text-align: right;">Page 48</p>
<p>1 188 accounts that Cascade collected on behalf of Astor 2 Brothers &amp; Company? 3 A. No. No differences. 4 Q. And prior to February 21, 2019, was 5 Mr. Rodriguez's account treated any differently than 6 the other accounts that Cascade received from Astor 7 Brothers &amp; Company? 8 A. No. 9 Q. Going -- let's go back to Exhibit 6, 10 please. 11 A. It's loading. 12 Q. Sure. No problem. Just tell me when 13 you're there. 14 MR. RASMUSSEN: For some reason, it's not 15 loading, Brian. 16 MR. MCBRIDE: Okay. Well, maybe we can 17 just -- 18 MR. RASMUSSEN: I'll keep trying. This is 19 the big one though, right? 20 MR. MCBRIDE: Yeah, this is the big one. 21 I can -- let me ask him a question and we'll see if we 22 can do it without looking at it. 23 Q. (By Mr. McBride) Do you know how many 24 letters were produced in this particular exhibit? 25 A. No. Not exactly. I didn't put together</p> <p style="text-align: right;">Page 47</p>	<p>1 a collection letter; is that correct? 2 A. That's correct. 3 Q. Okay. So Cascade has unredacted versions 4 of these letters in their file system; is that correct? 5 A. That is correct. 6 Q. And you're able to create a list of these 7 consumers that were sent collection letters on behalf 8 of Astor Brothers &amp; Company, correct? 9 A. That is correct. 10 Q. How long would that take you? 11 A. Maybe an hour or two. 12 Q. And you could limit that search to a 13 particular time period? 14 A. Conceivably, yes. 15 Q. Okay. What I'd like to do is take a 16 three- to five-minute break here. I think I am close 17 to finishing, but I just want to check my notes and 18 make sure I didn't miss anything. 19 MR. RASMUSSEN: Okay. 20 (Break taken from 3:29 to 3:35 p.m.) 21 Q. (By Mr. McBride) Mr. Morris, let's turn 22 to Exhibit 7, please. And once you're there, let's go 23 to page 8, interrogatory Number 9. And let me know 24 when you're there. 25 MR. RASMUSSEN: For some reason it's slow</p> <p style="text-align: right;">Page 49</p>

<p>1 again. I don't know why. This isn't a big file.  2 MR. MCBRIDE: No problem.  3 A. I have a hard copy I can refer to.  4 Q. (By Mr. McBride) That's fine with me.  5 A. All right. Which interrogatory was it  6 again?  7 Q. We are looking at actually 8 and 9.  8 A. Okay.  9 Q. Pages 7 and 8.  10 A. Okay.  11 Q. These two interrogatories differentiated  12 between letters sent to residents of Utah and those not  13 in Utah. I just wanted to confirm that Interrogatory  14 Number 9, defendant says that there were 252 persons  15 sent a letter with addresses in Utah with the language  16 that was referred to in the complaint; is that correct?  17 A. That is correct.  18 Q. Okay. And so I don't want to assume, so  19 I'm just going to ask you, the other 10 were sent to  20 residents outside of Utah, correct?  21 A. That's correct.  22 Q. Okay. I just wanted to clarify that. And  23 then let's go down to page -- give me one second.  24 Okay. Yeah, page 11, interrogatory Number 15.  25 A. Okay.</p> <p style="text-align: right;">Page 50</p>	<p>1 an explanation of the alleged error, and not, as you  2 said, to point fingers at anybody in this action. Does  3 that answer your question?  4 Q. Okay, does that -- well, let's flesh it  5 out a little further. We'll go to section (b) of the  6 same interrogatory and the responses.  7 MR. RASMUSSEN: Which interrogatory is  8 this, Ryan?  9 MR. MCBRIDE: It's still Interrogatory  10 Number 15.  11 MR. RASMUSSEN: Okay.  12 Q. (By Mr. McBride) The next page, (b), it  13 says, "Defendant again disputes that a violation of the  14 FDCPA occurred, but states that Diana Tartaglia made  15 the error." So my question is did Diana Tartaglia make  16 an error?  17 MR. RASMUSSEN: Objection. Argumentative.  18 A. Because Diana was the manager at the time,  19 she would have been the one who generated the letter  20 from the template. Let me see. So in that regard, I  21 would say yes.  22 Q. So you're saying that because she was  23 responsible for sending out the letters, any language  24 incorrect in the letters was her fault?  25 A. No. As I said before, the template would</p> <p style="text-align: right;">Page 52</p>
<p>1 Q. If you go down near the bottom of the  2 page, I just want to flesh this out. It looks like the  3 last, one of the last sentences it says, "If a  4 violation of the FDCPA occurred, Defendant through its  5 then office manager Diana Tartaglia, erred in  6 generating and sending a letter based upon a template  7 that contained language that allegedly violated the  8 FDCPA," and it goes on.  9 So I just want to make sure that, you  10 know, before, we had talked about the bona fide error  11 defense, and I just wanted to make sure that defendant  12 isn't actually pointing to Diana Tartaglia as the  13 reason for the error. Am I right there, or is this  14 response to the interrogatory correct?  15 MR. RASMUSSEN: I'm going to object.  16 That's kind of vague.  17 Q. Sure. I'll maybe make it --  18 MR. RASMUSSEN: Convolutd I guess I'll  19 just say.  20 Q. Sure. If you can answer. If not, I can  21 rephrase and make it shorter and make it easier.  22 A. Yeah, if you could rephrase it, I think.  23 Q. Sure. So if an alleged error happened, is  24 Diana Tartaglia responsible for that error?  25 A. Well, this section of the interrogatory is</p> <p style="text-align: right;">Page 51</p>	<p>1 not have been Diana's to edit. It would have been  2 Mr. Rasmussen's. But I guess had the letter not been  3 sent out, there wouldn't have been an error.  4 Q. Okay. So Cascade's position is that  5 Ms. Tartaglia is the reason for the error because she  6 mailed out the letter, even though she doesn't draft  7 the language in the letter?  8 A. I think the answer is a little bit  9 nebulous because had the language not been -- sorry.  10 Had the language been put there by Mr. Rasmussen, but  11 not sent out by Ms. Tartaglia, then this -- it wouldn't  12 be an error because it was never sent out. And if  13 Ms. Tartaglia had sent it out but the language hadn't  14 been there, there wouldn't be any language there. So I  15 guess --  16 Q. Okay.  17 A. Yeah.  18 Q. So I guess we previously discussed, you  19 know, what policies that Cascade had in place to avoid  20 the error. Now, the error complained of in the  21 complaint is the language, not the actual sending of  22 the letter. So in regards to the actual language of  23 the letter, does Ms. Tartaglia have any fault there?  24 MR. RASMUSSEN: I'm going to object. It's  25 argumentative and mischaracterizes -- well, yeah,</p> <p style="text-align: right;">Page 53</p>

<p>1 that's just argumentative.</p> <p>2 Q. Do you need the question repeated?</p> <p>3 A. Yes, please.</p> <p>4 MR. MCBRIDE: Diana, can you please repeat</p> <p>5 the question?</p> <p>6 (The record was read as follows:</p> <p>7 Question: "So I guess we previously</p> <p>8 discussed, you know, what policies that Cascade</p> <p>9 had in place to avoid the error. Now, the error</p> <p>10 complained of in the complaint is the language,</p> <p>11 not the actual sending of the letter. So in</p> <p>12 regards to the actual language of the letter,</p> <p>13 does Ms. Tartaglia have any fault there?")</p> <p>14 MR. RASMUSSEN: And I'm going to object.</p> <p>15 It mischaracterizes the evidence and/or assumes facts</p> <p>16 not in evidence.</p> <p>17 A. As previously stated, Ms. Tartaglia, as</p> <p>18 part of the procedure, did review the changes made to</p> <p>19 the language in the collections letter.</p> <p>20 Q. Okay. So you are saying that she is at</p> <p>21 fault due to her failure to correct the language in the</p> <p>22 collection letter?</p> <p>23 MR. RASMUSSEN: Objection, mischaracterizes</p> <p>24 Mr. Tucker's testimony.</p> <p>25 Could I get the question again, please.</p> <p style="text-align: right;">Page 54</p>	<p>1 A. The --</p> <p>2 Q. Let me rephrase that. If there wasn't a</p> <p>3 violation, does it matter if there was an error?</p> <p>4 MR. MCBRIDE: Objection. Vague.</p> <p>5 Q. Sorry. Let me rephrase that.</p> <p>6 If there was no violation of the FDCPA,</p> <p>7 does it matter whether or not there was an error as it</p> <p>8 relates to the affirmative defense in the complaint?</p> <p>9 MR. MCBRIDE: Objection. Calls for a</p> <p>10 legal conclusion.</p> <p>11 Q. You can still answer.</p> <p>12 A. I believe there is not a violation. The</p> <p>13 error doesn't matter as it could be, as I said before,</p> <p>14 a matter of semantics or a matter of clerical error.</p> <p>15 Q. So let me just ask that question again,</p> <p>16 because I just want to make it clear or make sure we</p> <p>17 can understand what you meant and what you were</p> <p>18 referring to when you said "alleged error," because in</p> <p>19 our -- in the Seventh Defense it states, this is</p> <p>20 Exhibit 5, Seventh Defense, it says, "Defendant</p> <p>21 affirmatively avers and asserts as a defense that any</p> <p>22 violation complained of and caused by defendant was not</p> <p>23 intentional and resulted from a bona fide error,</p> <p>24 notwithstanding the maintenance of procedures</p> <p>25 reasonably adapted to avoid such error." Is that</p> <p style="text-align: right;">Page 56</p>
<p>1 MR. MCBRIDE: Diana, could you reread the</p> <p>2 question please.</p> <p>3 (The record was read as follows:</p> <p>4 Question: "So you are saying that she is</p> <p>5 at fault due to her failure to correct the</p> <p>6 language in the collection letter?")</p> <p>7 MR. RASMUSSEN: And I'm also going to</p> <p>8 object as argumentative.</p> <p>9 A. Sorry. Since Ms. Tartaglia is the one who</p> <p>10 did generate the letter and who did review the letter</p> <p>11 before sending it out and sent it anyway, yes, I would</p> <p>12 say that she is the one who made the error.</p> <p>13 Q. Okay. That is all that I have.</p> <p>14 Mr. Rasmussen, do you have any questions?</p> <p>15 MR. RASMUSSEN: Yeah.</p> <p>16</p> <p>17 EXAMINATION</p> <p>18 BY MR. RASMUSSEN:</p> <p>19 Q. Previously we discussed the error and,</p> <p>20 Tucker, you refer to it as "the alleged error." I just</p> <p>21 wanted to ask about whether or not you were referring</p> <p>22 to the alleged error or an alleged violation.</p> <p>23 A. I was referring to an alleged violation.</p> <p>24 Q. And how does the error relate to that</p> <p>25 violation?</p> <p style="text-align: right;">Page 55</p>	<p>1 correct?</p> <p>2 A. Yes.</p> <p>3 Q. So my question is if there is no</p> <p>4 violation, does it matter whether or not there was an</p> <p>5 error?</p> <p>6 A. Not in a legal sense, no.</p> <p>7 Q. So if there was a violation, would you say</p> <p>8 it matters whether or not there was an error, as it</p> <p>9 relates to --</p> <p>10 MR. MCBRIDE: Objection. Calls for a</p> <p>11 legal conclusion --</p> <p>12 REPORTER: I'm sorry, what was the</p> <p>13 objection?</p> <p>14 MR. MCBRIDE: Sorry. I'll wait until he</p> <p>15 finishes his question.</p> <p>16 Q. (By Mr. Rasmussen) In the context of the</p> <p>17 affirmative defense, if there was a violation, would it</p> <p>18 matter whether or not you felt like there was an error?</p> <p>19 A. I believe so, yes.</p> <p>20 MR. MCBRIDE: Same objection. Legal</p> <p>21 conclusion.</p> <p>22 Q. And so is that why you referred to an</p> <p>23 alleged error?</p> <p>24 A. I believe I just got my terminology mixed</p> <p>25 up between "violation" and "error."</p> <p style="text-align: right;">Page 57</p>



<p>1 Q. Okay. So is it safe to say, then, you 2 meant "alleged violation" because you feel like no 3 violation exists?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. And that if a violation does indeed 6 exist, you are asserting the Seventh Defense?</p> <p>7 A. That is correct.</p> <p>8 Q. Okay. One other question. There was some 9 questioning as it relates to who checks the updated 10 templates. I believe you said I do. But your previous 11 testimony was that Cascade Collections would check or 12 review the templates. So if -- prior to when you were 13 working, who would have that been?</p> <p>14 A. Sorry, yes. Right. My meaning was I, as 15 a manager, do it. Prior to me reviewing those, it was 16 Diana Tartaglia who reviewed them.</p> <p>17 MR. RASMUSSEN: That's it for me, Ryan.</p> <p>18</p> <p>19 FURTHER EXAMINATION</p> <p>20 BY MR. MCBRIDE:</p> <p>21 Q. Just a quick follow-up. When, Mr. Morris, 22 just to clarify some of the testimony you made right 23 there, when you referred to an error in our previous 24 testimony today, you actually meant a violation?</p> <p>25 A. I'm sorry. Can you repeat the question?</p> <p style="text-align: right;">Page 58</p>	<p>1 error in the FDCPA when we were discussing the bona 2 fide error. In those instances I meant to refer to 3 violations or alleged violations.</p> <p>4 Q. And how does the Seventh Defense --</p> <p>5 A. Oh, yes.</p> <p>6 Q. And then here's a follow-up question: In 7 that context, we were discussing the Seventh Defense; 8 is that correct?</p> <p>9 A. That's correct.</p> <p>10 Q. Okay.</p> <p>11 MR. MCBRIDE: Do you have more questions?</p> <p>12 MR. RASMUSSEN: That's it for now.</p> <p>13 MR. MCBRIDE: So based on that testimony, 14 I probably need to go back through a couple more 15 questions, then, to make sure we are on the same page 16 here.</p> <p>17</p> <p>18 FURTHER EXAMINATION</p> <p>19 BY MR. MCBRIDE:</p> <p>20 Q. So I'll try to make this as quick and 21 general as possible, but I need to make sure that I 22 understand your earlier testimony, based on what you 23 just said.</p> <p>24 A. Okay.</p> <p>25 Q. So when we talked about policies being in</p> <p style="text-align: right;">Page 60</p>
<p>1 Q. Sure. When you referred to an error or an 2 alleged error, you were actually referring to a 3 violation or an alleged violation of the FDCPA; is that 4 correct?</p> <p>5 A. That is correct.</p> <p>6 Q. Okay. Nothing further.</p> <p>7 MR. RASMUSSEN: I'm going to kind of 8 object there as to ambiguous or vague. We talked a lot 9 about the word "error." Are you asking if every single 10 time he used the word "error" he meant "violation"?</p> <p>11 MR. MCBRIDE: Correct.</p> <p>12 MR. RASMUSSEN: Okay. Well, I'm going 13 to -- can I ask a follow-up question then, if you're 14 done, Ryan?</p> <p>15 MR. MCBRIDE: Yeah, I'm done.</p> <p>16</p> <p>17 FURTHER EXAMINATION</p> <p>18 BY MR. RASMUSSEN:</p> <p>19 Q. I guess, Tucker, in light of what 20 Mr. McBride just said, is your answer still the same if 21 his question is every single time you used the word 22 "error" you meant "violation"?</p> <p>23 A. No. Not every time I used the word 24 "error" did I mean "violation," specifically earlier in 25 the deposition where I made reference to an alleged</p> <p style="text-align: right;">Page 59</p>	<p>1 place regarding avoiding an error, were you talking 2 about avoiding an error or an alleged violation of the 3 FDCPA?</p> <p>4 A. Sorry. One more time?</p> <p>5 Q. Sure. We talked about policies that 6 Cascade had in place to avoid an error. Now, that 7 whole line of questioning regarding, you know, what 8 Cascade did in order to avoid having language that 9 didn't comply with the FDCPA, were you referring to an 10 error or a violation?</p> <p>11 A. I was referring to preventing errors in 12 those cases.</p> <p>13 Q. Okay. And same question for when I asked 14 you about the procedures that Cascade had in place in 15 order to follow those policies.</p> <p>16 A. Sorry. Can you be more specific, please?</p> <p>17 Q. Sure. Were you referring to procedures 18 that would help avoid the error, or would help avoid a 19 violation?</p> <p>20 A. I'm sorry. Which procedures in particular 21 are you referring to? I'm sorry.</p> <p>22 Q. Okay. Yeah, we can go specific. So you 23 said that -- and I'm summarizing. You testified that 24 Mr. Rasmussen reviews the collection letters. You said 25 the last time he had reviewed the collection letter in</p> <p style="text-align: right;">Page 61</p>

<p>1 question was January 2018, and that was one of the 2 procedures that Cascade had in place in order to avoid 3 was it an error or a violation? 4 A. I see. I mean both; to prevent an error 5 that could lead to a violation, or just to prevent a 6 violation outright. 7 Q. Okay. And is it Cascade's position that 8 an FDCPA violation did not occur? 9 A. Yes. 10 Q. Is it Cascade's position that an error did 11 not occur? 12 A. Yes. 13 Q. Okay. That's all. That clarifies it. 14 Thank you. If nothing further -- 15 MR. RASMUSSEN: I have a follow-up 16 question. 17 18 FURTHER EXAMINATION 19 BY MR. RASMUSSEN: 20 Q. But if a violation occurred, is it 21 Cascade's position that an error occurred? 22 A. Could you repeat the question? 23 Q. If a violation of the FDCPA occurred, is 24 it Cascade's position that an error occurred? 25 A. Yes.</p> <p style="text-align: right;">Page 62</p>	<p>1 and Mr. Rasmussen, and Diana. Thank you. 2 MR. RASMUSSEN: Thanks, Ryan. Thanks, 3 Diana. 4 REPORTER: Chad, can I ask about reading 5 and signing? 6 MR. RASMUSSEN: Yeah, we'll want to. 7 (The deposition concluded at 4:01 p.m.) 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: right;">Page 64</p>
<p>1 Q. Okay. 2 MR. MCBRIDE: I'm sorry. I need to follow 3 up on that. Those two statements didn't match up, to 4 me. 5 6 FURTHER EXAMINATION 7 BY MR. MCBRIDE: 8 Q. Just to be clear, you're saying that an 9 error occurred only if an FDCPA violation is determined 10 by the court, or by a jury? 11 A. Yes, that's correct. I mean, there can 12 be -- if there's no violation, as we were talking about 13 before, if there's no violation then there doesn't have 14 to be an error. But if there was a violation, there 15 would have to be an error. 16 Q. Okay. So your determination or Cascade's 17 determination of whether there's an error or not 18 depends on whether there's an FDCPA violation? 19 A. Yes, because our position is that there 20 was not an error made. Or I'm sorry, that there was 21 not a violation. 22 Q. Okay. Understood. That's all I have. 23 Mr. Rasmussen, do you have any more? 24 MR. RASMUSSEN: I believe that's it. 25 Q. Okay. Thank you for your time, Mr. Morris</p> <p style="text-align: right;">Page 63</p>	<p>1 REPORTER'S CERTIFICATE 2 3 STATE OF UTAH ) 4 ) ss. 5 COUNTY OF SALT LAKE ) 6 7 I, Diana Kent, Registered Professional 8 Reporter and Notary Public in and for the State of 9 Utah, do hereby certify: 10 That prior to being examined, the witness, 11 Tucker Morris, was by me duly sworn to tell the truth, 12 the whole truth, and nothing but the truth; 13 That said deposition was taken down by me 14 in stenotype on May 19, 2020, at the place therein 15 named, and was thereafter transcribed and that a true 16 and correct transcription of said testimony is set 17 forth in the preceding pages; 18 I further certify that, in accordance with 19 Rule 30(e), a reading copy was sent to Attorney Chad 20 Rasmussen for the witness to read and sign, and the 21 original transcript will be delivered to Attorney Ryan 22 McBride for safekeeping. 23 I further certify that I am not kin or 24 otherwise associated with any of the parties to said 25 cause of action and that I am not interested in the outcome thereof. WITNESS MY HAND AND OFFICIAL SEAL this 3rd day of June, 2020.     Diana Kent, RFR, CRR  Notary Public  Residing in Salt Lake County</p> <p style="text-align: right;">Page 65</p>

1 Case: Rodriguez et al v. Cascade Collections  
Case No.: 2:20-CV-00130-JNP  
2 Reporter: Diana Kent  
Date taken: May 19, 2020  
3

WITNESS CERTIFICATE

4 I, TUCKER MORRIS, HEREBY DECLARE:  
5 That I am the witness in the foregoing  
transcript; that I have read the transcript and know  
6 the contents thereof; that with these corrections I  
have noted this transcript truly and accurately  
7 reflects my testimony.

8 PAGE-LINE CHANGE/CORRECTION REASON

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18 \_\_\_\_\_ No corrections were made.

19 I, TUCKER MORRIS, HEREBY DECLARE UNDER THE  
20 PENALTIES OF PERJURY OF THE LAWS OF THE UNITED STATES  
OF AMERICA AND THE LAWS OF THE STATE OF UTAH THAT THE  
21 FOREGOING IS TRUE AND CORRECT.  
22

23 \_\_\_\_\_  
Tucker Morris

24 \_\_\_\_\_  
25 Date Signed

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[& - alleged]

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[convenience - documents]

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Utah Rules of Civil Procedure  
Part V. Depositions and Discovery  
Rule 30

(E) Submission to Witness; Changes; Signing.

Within 28 days after being notified by the officer that the transcript or recording is available, a witness may sign a statement of changes to the form or substance of the transcript or recording and the reasons for the changes. The officer shall append any changes timely made by the witness.

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